

## **EXHIBIT G**

CLOSED, PATENT, PROTO

**U.S. District Court  
Eastern District of Virginia - (Alexandria)  
CIVIL DOCKET FOR CASE #: 1:04-cv-00612-LMB-BRP**

ePlus, Inc. v. Ariba, Inc.  
Assigned to: District Judge Leonie M. Brinkema  
Referred to: Magistrate Judge Barry R. Poretz  
Demand: \$0  
Cause: 35:271 Patent Infringement

Date Filed: 05/26/2004  
Date Terminated: 02/15/2005  
Jury Demand: Both  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff**

**ePlus, Inc.**

represented by **Brian Mark Buroker**  
Hunton & Williams  
1900 K St NW  
Washington, DC 20006-1109  
(202) 955-1500  
Email: [bburoker@hunton.com](mailto:bburoker@hunton.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Courtney Renee Sydnor**  
Shulman Rogers Gandal Pordy & Ecker  
PA  
12505 Park Potomac Avenue  
Sixth Floor  
Potomac, MD 20854  
301-2305200  
Fax: 301-230-2891  
Email: [csydnor@shulmanrogers.com](mailto:csydnor@shulmanrogers.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**David Michael Young**  
Goodwin Procter LLP  
901 New York Ave NW  
9th Fl East  
Washington, DC 20001  
(202) 346-4000  
Fax: (202) 346-4444  
Email: [dyoung@goodwinprocter.com](mailto:dyoung@goodwinprocter.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Thomas J. Cawley**

Hunton & Williams  
1751 Pinnacle Dr  
Suite 1700  
McLean, VA 22102  
(703) 714-7400  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Ariba, Inc.**

represented by **David Wayne Long**  
Howrey Simon Arnold & White LLP  
1299 Pennsylvania Ave NW  
Washington, DC 20004  
(202) 783-0800  
Email: longd@howrey.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Vivian Szu-Yin Kuo**  
Howrey Simon Arnold & White LLP  
1299 Pennsylvania Ave NW  
Washington, DC 20004  
(202) 783-0800  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**Ariba, Inc.**

represented by **Vivian Szu-Yin Kuo**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Counter Defendant**

**ePlus, Inc.**

represented by **Thomas J. Cawley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Brian Mark Buroker**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**David Michael Young**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
05/26/2004	1	COMPLAINT Filing Fee \$ 150.00 Receipt # 100 172531; jury demand

		(mcke) (Entered: 05/26/2004)
05/26/2004		CASE REFERRED to Mag Judge Barry R. Poretz (mcke) (Entered: 05/26/2004)
05/26/2004	2	Financial Interest Disclosure Statement (Local Rule 7.1) by ePlus, Inc. (mcke) (Entered: 05/26/2004)
05/26/2004		SUMMONS(ES) (Org. & 1) issued and given to atty for service by SPS on deft Ariba, Inc. (mcke) (Entered: 05/26/2004)
05/26/2004		Jury Trial Flag (mcke) (Entered: 05/26/2004)
05/26/2004		Patent Flag. (mcke) (Entered: 05/26/2004)
06/17/2004	3	AFFIDAVIT of service Returned Executed as to Ariba, Inc. 6/1/04 Answer due on 6/21/04 for Ariba, Inc. (mcke) (Entered: 06/18/2004)
06/18/2004	4	STIPULATED MOTION by Ariba, Inc. to Extend Time to answer or otherwise plead in response to complaint (clerk) (Entered: 06/21/2004)
06/21/2004	5	ORDER [4-1] motion by Ariba, Inc. to Extend Time to answer or otherwise plead in response to complaint until 7/6/04. ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 6/22/04] (mcke) (Entered: 06/22/2004)
06/21/2004		Deadline updated; reset Answer deadline to 7/6/04 for Ariba, Inc. as to Ariba, Inc. (mcke) (Entered: 06/22/2004)
06/25/2004	6	ORDER setting Initial Pretrial Conference for 10:00 7/28/04 Discovery Deadline for 10/15/04 Final Pretrial Conference for 10:00 10/21/04 (see order for details) ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes (mcke) (Entered: 06/25/2004)
06/25/2004		Deadline updated; set Initial Pretrial Conference for 10:00 7/28/04 before Mag Judge Barry R. Poretz (mcke) (Entered: 06/25/2004)
07/06/2004	7	MOTION by Ariba, Inc. to Transfer Venue (told to notice) (jcup) (Entered: 07/07/2004)
07/06/2004	8	MEMORANDUM by Ariba, Inc. in support of [7-1] motion by Ariba, Inc. to Transfer Venue (jcup) (Entered: 07/07/2004)
07/06/2004	9	ANSWER to Complaint; jury demand and COUNTERCLAIM by Ariba, Inc. against ePlus, Inc. (jcup) (Entered: 07/07/2004)
07/12/2004	10	MOTION by ePlus, Inc. to Dismiss deft's Ariba, Inc.'s fourth affirmative defense of inequitable conduct (told to notice), or by ePlus, Inc. to Strike [9-2] counter claim by Ariba, Inc. (told to notice) (mcke) (Entered: 07/13/2004)
07/12/2004	11	Brief by ePlus, Inc. in support of [10-1] motion by ePlus, Inc. to Dismiss deft's Ariba, Inc.'s fourth affirmative defense of inequitable conduct , [10-2] motion by ePlus, Inc. to Strike [9-2] counter claim (mcke) (Entered: 07/13/2004)
07/13/2004	12	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 7/30/04 for [10-1] motion by ePlus, Inc. to Dismiss

		deft's Ariba, Inc.'s fourth affirmative defense of inequitable conduct, set for 10:00 7/30/04 for [10-2] motion by ePlus, Inc. to Strike [9-2] counter claim by Ariba, Inc. (mcke) (Entered: 07/14/2004)
07/15/2004	13	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 7/30/04 for [7-1] motion by Ariba, Inc. to Transfer Venue (mcke) (Entered: 07/16/2004)
07/19/2004	14	BRIEF by ePlus, Inc. in opposition to [7-1] motion by Ariba, Inc. to Transfer Venue (mcke) (Entered: 07/20/2004)
07/19/2004	15	Declaration of David M. Young by ePlus, Inc. (mcke) (Entered: 07/20/2004)
07/19/2004	16	Declaration of Kleyton L. Parkhurst by ePlus, Inc. (mcke) (Entered: 07/20/2004)
07/19/2004	17	Declaration of Robert Kinross by ePlus, Inc. (mcke) (Entered: 07/20/2004)
07/19/2004	18	Declaration of James Johnson by ePlus, Inc. (mcke) (Entered: 07/20/2004)
07/19/2004	19	Declaration of Douglas Momyer by ePlus, Inc. (mcke) (Entered: 07/20/2004)
07/22/2004	20	JOINT Discovery Plan by ePlus, Inc., Ariba, Inc. (mcke) (Entered: 07/23/2004)
07/22/2004	21	REPLY MEMORANDUM in support by Ariba, Inc. of [7-1] motion by Ariba, Inc. to Transfer Venue (clar) (Entered: 07/26/2004)
07/23/2004	22	Brief by Ariba, Inc. in opposition to [10-1] motion by ePlus, Inc. to Dismiss deft's Ariba, Inc.'s fourth affirmative defense of inequitable conduct, [10-2] motion by ePlus, Inc. to Strike [9-2] counter claim (clar) (Entered: 07/26/2004)
07/26/2004	23	REPLY by ePlus, Inc. to [9-2] counter claim by Ariba, Inc.; jury demand (mcke) (Entered: 07/26/2004)
07/27/2004	24	REPLY Brief in support by ePlus, Inc. of [10-1] motion by ePlus, Inc. to Dismiss deft's Ariba, Inc.'s fourth affirmative defense of inequitable conduct, [10-2] motion by ePlus, Inc. to Strike [9-2] counter claim by Ariba, Inc. (clar) (Entered: 07/27/2004)
07/28/2004		Initial pretrial conference held before Magistrate Judge Poretz. AppearancesL Counsel for Pltf. & Deft. A new discovery plan shall be filed by 7/30/04. (jsch) (Entered: 07/29/2004)
07/29/2004	25	AMENDED NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:30 8/3/04 for [10-1] motion by ePlus, Inc. to Dismiss deft's Ariba, Inc.'s fourth affirmative defense of inequitable conduct, set for 10:30 8/3/04 for [10-2] motion by ePlus, Inc. to Strike [9-2] counter claim by Ariba, Inc., set for 10:30 8/3/04 for [7-1] motion by Ariba, Inc. to Transfer Venue (per LMB's chambers) (mcke) (Entered: 07/29/2004)
08/03/2004		Motion hearing held before Judge Brinkema; Reporter: Thomson; Appearances by Counsel for parties re: [7-1] motion by Ariba, Inc. to Transfer Venue-Denied; [10-2] motion by ePlus, Inc. to Strike [9-2] counter claim by

		Ariba, Inc.-Denied; [10-1] motion by ePlus, Inc. to Dismiss deft's Ariba, fourth affirmative defense of inequitable conduct-Denied. Order to follow. (rtra) (Entered: 08/03/2004)
08/03/2004	26	For the reasons stated in open court, ORDER denying without prejudice [10-1] motion by ePlus, Inc. to Dismiss deft's Ariba, Inc.'s fourth affirmative defense of inequitable conduct, denying without prejudice [10-2] motion by ePlus, Inc. to Strike [9-2] counter claim by Ariba, Inc., denying [7-1] motion by Ariba, Inc. to Transfer Venue ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 08/03/04 [EOD Date: 8/3/04] (rtra) (Entered: 08/03/2004)
08/03/2004	27	JOINT Discovery Plan by ePlus, Inc., Ariba, Inc. (mcke) (Entered: 08/04/2004)
08/04/2004	28	TRANSCRIPT proceedings for dates of 8/3/04 (LMB) (mcke) (Entered: 08/04/2004)
08/04/2004	29	Rule 16(B) Scheduling Order - Pursuant to the Rule 16(B) Conference it is hereby ordered that: The Rule 26(f) report annexed to this Order, is approved and shall control discovery to the extent of its application unless modified by this Court (see order for details) ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: y (jsch) (Entered: 08/05/2004)
08/06/2004	30	MOTION by ePlus, Inc. to Compel discovery (stas) (Entered: 08/06/2004)
08/06/2004	31	BRIEF by ePlus, Inc. in support of [30-1] motion by ePlus, Inc. to Compel discovery (LARGE PLEADING) (stas) (Entered: 08/06/2004)
08/06/2004	32	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 8/13/04 for [30-1] motion by ePlus, Inc. to Compel discovery (stas) (Entered: 08/06/2004)
08/11/2004	33	NOTICE of Attorney Appearance for ePlus, Inc., ePlus, Inc. by Brian Mark Buroker (mcke) (Entered: 08/11/2004)
08/11/2004	34	OPPOSITION by Ariba, Inc. to [30-1] motion by ePlus, Inc. to Compel discovery (jcup) (Entered: 08/12/2004)
08/11/2004	35	ORDER, for Jennifer Ann Albert to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 100 174235 ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 8/12/04] (mcke) (Entered: 08/12/2004)
08/11/2004	36	ORDER, for Scott Lynn Robertson to appear pro hac vice Filing Fee Paid \$ 50.00 Receipt # 100 174234 ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 8/12/04] (mcke) (Entered: 08/12/2004)
08/12/2004	37	REPLY BRIEF by ePlus, Inc. in support of [30-1] motion by ePlus, Inc. to Compel discovery (stas) (Entered: 08/12/2004)
08/13/2004		Minute entry: Magistrate Judge Poretz (FTR) Reporter: Casamo & Assoc. Appearances: Counsel for Pltf. & Deft. This matter came on for Pltf's. Motion to compel discovery - No arguement. Matter taken under advisement. Counsel shall submit a joint proposed discovery plan on 8/19/04. Counsel shall also submit a proposed agreed upon order as to the Motion to Compel. Anything

		not resolved Counsel for each party shall submit a proposed order as to the relief sought. (jsch) (Entered: 08/13/2004)
08/13/2004	40	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 8/20/04 for [38-1] joint motion by Ariba, Inc., ePlus, Inc. for Protective Order proposing prospective filing of documents under seal (clar) (Entered: 08/17/2004)
08/16/2004	38	JOINT MOTION by Ariba, Inc., ePlus, Inc. for Protective Order proposing prospective filing of documents under seal (clar) (Entered: 08/17/2004)
08/16/2004	39	Joint brief by ePlus, Inc., Ariba, Inc. in support of [38-1] joint motion by Ariba, Inc., ePlus, Inc. for Protective Order proposing prospective filing of documents under seal (clar) (Entered: 08/17/2004)
08/18/2004		Deadline updated; Motion Hearing Deadline before Mag Judge Liam O'Grady set for 10:00 8/20/04 for [38-1] joint motion by Ariba, Inc., ePlus, Inc. for Protective Order proposing prospective filing of documents under seal (clar) (Entered: 08/18/2004)
08/18/2004	41	Supplemental Joint Discovery Plan by ePlus, Inc., Ariba, Inc. (agil) (Entered: 08/19/2004)
08/19/2004	42	ORDER, for Peter E. Moll to appear pro hac vice Filing Fee Paid \$ 50 Receipt # 100 174480 ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 8/19/04 [EOD Date: 8/19/04] (agil) (Entered: 08/19/2004)
08/19/2004	43	ORDER, for Joseph P. Lavelle to appear pro hac vice Filing Fee Paid \$ 50 Receipt # 100 174479 ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 8/19/04 [EOD Date: 8/19/04] (agil) (Entered: 08/19/2004)
08/19/2004	44	ORDER, for Brian A. Rosenthal to appear pro hac vice Filing Fee Paid \$ 50 Receipt # 100 174478 ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 8/19/04 [EOD Date: 8/19/04] (agil) (Entered: 08/19/2004)
08/19/2004		Deadline updated; Motion Hearing Deadline before Mag Judge Theresa C. Buchanan set for 10:00 8/20/04 for [38-1] joint motion by Ariba, Inc., ePlus, Inc. for Protective Order proposing prospective filing of documents under seal (clar) (Entered: 08/19/2004)
08/20/2004		Minute entry: Magistrate Judge Buchanan. Appearances: Counsel for Deft. Reporter: Casamo & Associates. This matter came on by Ariba, Inc., ePlus, Inc. for Protective Order proposing prospective filing of documents under seal - Matter uncontested and Granted. Order to be entered. (avax) (Entered: 08/20/2004)
08/23/2004	45	ORDER granting [38-1] joint motion by Ariba, Inc., ePlus, Inc. for Protective Order proposing prospective filing of documents under seal, and the stipulated protective order is hereby entered. ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes [EOD Date: 8/25/04] (mcke) (Entered: 08/25/2004)
08/23/2004	46	Consent Order for Protective Order re: confidential material (see order for details) ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes (mcke) (Entered: 08/25/2004)



08/23/2004		**Set Protective Order Flag. (mcke) (Entered: 08/25/2004)
08/23/2004	47	ORDER that the supplemental joint discovery plan shall govern discovery herein, and such plan necessarily supplements the joint discovery plan filed on 8/3/04 (signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes [EOD Date: 8/25/04] (clar) (Entered: 08/25/2004)
08/23/2004	48	Stipulated Order in Re: [30-1] motion by ePlus, Inc. to Compel discovery it ordered that on or before 8/25/04 deft Ariba, Inc. shall supplement its answers to interrogatories (see order for details) ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes [EOD Date: 8/25/04] (clar) (Entered: 08/25/2004)
08/23/2004	49	ORDER granting [30-1] motion by ePlus, Inc. to Compel discovery the court therefore orders deft Ariba to produce any issued patents, patent applications, and the prosecution histories for such patents and applications, owned by Ariba or for which Ariba is the assignee, pertaining to the features and functionality of Ariba Buyer, Ariba Punchout, Ariba Category Procurement, and/or their use with Ariba Supplier Network. Ariba shall produce the discovery ordered above by close of business on 9/1/04 (see order for details) ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes [EOD Date: 8/25/04] (clar) (Entered: 08/25/2004)
08/27/2004	50	Renewed MOTION by ePlus, Inc. to Compel discovery (clar) (Entered: 08/30/2004)
08/27/2004	51	Brief by ePlus, Inc. in support of [50-1] motion by ePlus, Inc. to Compel discovery (large pleading) (clar) (Entered: 08/30/2004)
08/27/2004	52	MOTION by ePlus, Inc. for Leave to File first amended complaint (clar) (Entered: 08/30/2004)
08/27/2004	53	Brief by ePlus, Inc. in support of [52-1] motion by ePlus, Inc. for Leave to File first amended complaint (clar) (Entered: 08/30/2004)
08/27/2004	54	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 9/3/04 for [52-1] motion by ePlus, Inc. for Leave to File first amended complaint, set for 10:00 9/3/04 for [50-1] motion by ePlus, Inc. to Compel discovery (clar) (Entered: 08/30/2004)
08/30/2004	55	NOTICE by ePlus, Inc. of filing of corrected exhibit for pltf's brief in support of renewed motion to compel discovery (clar) (Entered: 08/31/2004)
09/01/2004	56	BRIEF by Ariba, Inc. in opposition to [50-1] second motion by ePlus, Inc. to Compel discovery (stas) Modified on 09/01/2004 (Entered: 09/01/2004)
09/01/2004	57	BRIEF by Ariba, Inc. in Response to [52-1] motion by ePlus, Inc. for Leave to File first amended complaint (stas) (Entered: 09/01/2004)
09/02/2004		Per BRP Chambers Deadline updated; Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 9/10/04 for [50-1] motion by ePlus, Inc. to Compel discovery (stas) (Entered: 09/02/2004)
09/02/2004		Per BRP Chambers motion for leave to file first amended complaint set for 09-03-04 is on papers (stas) (Entered: 09/02/2004)



09/02/2004	58	REPLY brief in support by ePlus, Inc. of [52-1] motion by ePlus, Inc. for Leave to File first amended complaint (FILED UNDER SEAL) (mcke) (Entered: 09/03/2004)
09/02/2004		Exhibit 1 received by ePlus, Inc. to reply brief in further support of motion for leave to file first amended complaint (Filed Under Seal) (1 manila envelope) (mcke) (Entered: 09/03/2004)
09/02/2004	59	ORDER that pltf's renewed motion to compel discovery (no. 50) is removed from the 9/3/04 docket, and rescheduled for the docket of Friday, September 10, 2004. ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes [EOD Date: 9/3/04] (mcke) (Entered: 09/03/2004)
09/03/2004	60	ORDER granting [52-1] motion by ePlus, Inc. for Leave to File first amended complaint, and pltf's first amended complaint shall be deemed FILED on the date of this order. ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes [EOD Date: 9/3/04] (mcke) (Entered: 09/03/2004)
09/03/2004	61	FIRST AMENDED COMPLAINT by ePlus, Inc. ; amending [1-1] complaint; jury demand (mcke) (Entered: 09/03/2004)
09/07/2004	62	REPLY brief and offer to compromise in further support by ePlus, Inc. of [50-1] renewed motion by ePlus, Inc. to Compel discovery (large pleading) (clar) (Entered: 09/08/2004)
09/10/2004		Minute entry: Magistrate Judge Poretz (FTR) Reporter: Anita Glover & Assoc. Appearances: Counsel for Pltf. & Deft. This matter came on for Pltf's. Motion to Compel - Matter argued and taken under advisement. Counsel to submit a proposed order. (jsch) (Entered: 09/10/2004)
09/10/2004	63	MOTION by ePlus, Inc. to Compel discovery , and by ePlus, Inc. enforcement of subpoena and subpoena duces tecum upon third party respondent MCI. Inc. (clar) (Entered: 09/13/2004)
09/10/2004	65	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 9/17/04 for [63-1] motion by ePlus, Inc. to Compel discovery, set for 10:00 9/17/04 for [63-2] motion by ePlus, Inc. enforcement of subpoena and subpoena duces tecum upon third party respondent MCI. Inc. (clar) (Entered: 09/13/2004)
09/10/2004	64	MEMORANDUM by ePlus, Inc. in support of [63-1] motion by ePlus, Inc. to Compel discovery, [63-2] motion by ePlus, Inc. enforcement of subpoena and subpoena duces tecum upon third party respondent MCI. Inc. (clar) (Entered: 09/13/2004)
09/14/2004	67	AGREED ORDER RE: ePLUS'S RENEWED MOTION TO COMPEL DISCOVERY outlining certain discovery issues and setting deadlines between pltf and deft (see Order for details); the Deadline for both parties to serve their initial expert reports for issues upon which the parties bear the burden of proof shall be extended from 09/24 until 10/04/04. The parties shall serve their opposition expert reports on 10/15/04. The parties have the right to move the Court for leave to serve supplemental expert reports after that time, based upon a showing of good cause relating to additional discovery obtained after

		the service of the initial expert reports. The deadline for the parties to file dispositive motions shall be extended from 10/08 until 10/15/04 ( signed by Judge Barry Poretz, US Magistrate Judge ) Copies Mailed: yes(pmil) Modified on 09/16/2004 (Entered: 09/16/2004)
09/15/2004	66	ORDER that Pltf's Motion to Compel Discovery and Enforcement of Subpoena Duces Tecum is Removed from the 9/17/04 docket and rescheduled for 9/20/04 @ 2:00 p.m. ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: y [EOD Date: 9/15/04] (agil) (Entered: 09/15/2004)
09/15/2004		Deadline updated; Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 2:00 9/20/04 for [63-1] motion by ePlus, Inc. to Compel discovery, set for 2:00 9/20/04 for [63-2] motion by ePlus, Inc. enforcement of subpoena and subpoena duces tecum upon third party respondent MCI. Inc. (agil) (Entered: 09/15/2004)
09/16/2004	68	Stipulated MOTION by Ariba, Inc., ePlus, Inc. for amendment of Protective Order (clar) (Entered: 09/17/2004)
09/16/2004	69	Joint brief by ePlus, Inc., Ariba, Inc. in support of [68-1] joint motion by Ariba, Inc., ePlus, Inc. for amendment of Protective Order (clar) (Entered: 09/17/2004)
09/16/2004	70	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 9/24/04 for [68-1] joint motion by Ariba, Inc., ePlus, Inc. for amendment of Protective Order (clar) (Entered: 09/17/2004)
09/20/2004	71	ORDER pltf's motion to compel discovery and enforcement of subpoena duces tecum upon third party respondent MCI (no. 63) is REMOVED from the docket of 9/20/04. ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes [EOD Date: 9/20/04] (mcke) (Entered: 09/20/2004)
09/24/2004		Minute entry: Magistrate Judge Poretz (FTR) Reporter: Rudiger & Green. Appearances: Counsel for Pltf. This matter came on for a Joint Motion to amend the Protective Order - Matter uncontested and Granted. Order to be entered. (jsch) (Entered: 09/24/2004)
09/24/2004	72	ORDER granting [68-1] joint motion by Ariba, Inc., ePlus, Inc. for amendment of Protective Order. For reasons stated from the bench, it is hereby ORDERED that said Motion is GRANTED, and this stipulation and protective order regarding confidentiality of discovery materials is hereby entered. (see order for details) ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: y [EOD Date: 9/24/04] (jsch) (Entered: 09/24/2004)
09/24/2004	73	STIPULATED ORDER Regarding Handling of Confidential Information Produced by SAP America, Inc. as to ePlus, Inc., Ariba, Inc., Ariba, Inc., ePlus, Inc. (see order for details) ( signed by Mag Judge Barry R. Poretz ) Copies Mailed y (jsch) (Entered: 09/24/2004)
09/24/2004	74	AMENDED STIPULATED PROTECTIVE ORDER Regarding Handling of Confidential Information Produced by SAP America, Inc. (see order for details) as to ePlus, Inc., Ariba, Inc., Ariba, Inc., ePlus, Inc. ( signed by Mag Judge Barry R. Poretz ) Copies Mailed y (jsch) (Entered: 09/24/2004)

09/24/2004	75	MOTION by ePlus, Inc. to Compel discovery , and by ePlus, Inc. enforcement of subpoena and subpoena duces tecum upon third party respondent American Management Systems, Inc. (clar) (Entered: 09/27/2004)
09/24/2004	76	Brief by ePlus, Inc. in support of [75-1] motion by ePlus, Inc. to Compel discovery, [75-2] motion by ePlus, Inc. enforcement of subpoena and subpoena duces tecum upon third party respondent American Management Systems, Inc. (clar) (Entered: 09/27/2004)
09/24/2004	77	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 10/1/04 for [75-1] motion by ePlus, Inc. to Compel discovery, set for 10:00 10/1/04 for [75-2] motion by ePlus, Inc. enforcement of subpoena and subpoena duces tecum upon third party respondent American Management Systems, Inc. (clar) (Entered: 09/27/2004)
09/24/2004	78	MOTION by ePlus, Inc. for contempt for repeated failure to comply with court order (clar) (Entered: 09/27/2004)
09/24/2004	79	Brief by ePlus, Inc. in support of [78-1] motion by ePlus, Inc. for contempt for repeated failure to comply with court order (UNDER SEAL) (clar) (Entered: 09/27/2004)
09/24/2004	80	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 10/1/04 for [78-1] motion by ePlus, Inc. for contempt for repeated failure to comply with court order (clar) (Entered: 09/27/2004)
09/29/2004	81	ORDER, for Matthew J. Moore of Howrey Simon Arnold & White, LLP, 1299 Pennsylvania Avenue, N.W., Washington DC 20004 to appear pro hac vice Filing Fee Paid \$ 50 Receipt # 100 175375 ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 9.30.04 [EOD Date: 9/30/04] (tbul) (Entered: 09/30/2004)
09/29/2004	82	ORDER, for Brian S. Seal of Howrey Simon Arnold & White, LLP, 1299 Pennsylvania Avenue, N.W., Washington, DC 20004 to appear pro hac vice Filing Fee Paid \$ 50 Receipt # 100 175374 ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 9.30.04 [EOD Date: 9/30/04] (tbul) (Entered: 09/30/2004)
09/29/2004	83	NOTICE by ePlus, Inc. Withdrawing [75-1] motion by ePlus, Inc. to Compel discovery by ePlus, Inc., [75-2] motion by ePlus, Inc. enforcement of subpoena and subpoena duces tecum upon third party respondent American Management Systems, Inc. by ePlus, Inc. (clar) (Entered: 09/30/2004)
09/29/2004	84	NOTICE by ePlus, Inc. Withdrawing [78-1] motion by ePlus, Inc. for contempt for repeated failure to comply with court order by ePlus, Inc. (clar) (Entered: 09/30/2004)
09/30/2004	85	ORDER, REMOVING from the Court's October 1, 2004 docket: the [75-1] motion by ePlus, Inc. to Compel discovery by ePlus, Inc. and the [78-1] motion by ePlus, Inc. for contempt for repeated failure to comply with court order by ePlus, Inc. ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: 9.30.04 [EOD Date: 9/30/04] (tbul) (Entered: 09/30/2004)
10/01/2004	86	MOTION by ePlus, Inc. to Compel discovery of defenses to willful

		infringement (mcke) (Entered: 10/05/2004)
10/01/2004	87	Brief by ePlus, Inc. in support of [86-1] motion by ePlus, Inc. to Compel discovery of defenses to willful infringement (mcke) (Entered: 10/05/2004)
10/01/2004	88	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 10/8/04 for [86-1] motion by ePlus, Inc. to Compel discovery of defenses to willful infringement (counsel notified to re-notice) (mcke) (Entered: 10/05/2004)
10/08/2004	89	MOTION by ePlus, Inc. for Entry of Default as to Ariba, Inc. (clar) (Entered: 10/12/2004)
10/08/2004	90	Brief by ePlus, Inc. in support of [89-1] motion by ePlus, Inc. for Entry of Default as to Ariba, Inc. (clar) (Entered: 10/12/2004)
10/08/2004	91	Declaration of David M. Young in support of [89-1] motion by ePlus, Inc. for Entry of Default as to Ariba, Inc. (clar) (Entered: 10/12/2004)
10/08/2004	92	NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 10/15/04 for [89-1] motion by ePlus, Inc. for Entry of Default as to Ariba, Inc. (clar) (Entered: 10/12/2004)
10/08/2004	95	Amended NOTICE of Hearing: Motion Hearing Deadline before Mag Judge Barry R. Poretz set for 10:00 10/15/04 for [86-1] motion by ePlus, Inc. to Compel discovery of defenses to willful infringement (clar) (Entered: 10/13/2004)
10/13/2004	93	STIPULATED MOTION by Ariba, Inc. for Leave to File amended answer (mcke) (Entered: 10/13/2004)
10/13/2004	94	BRIEF by Ariba, Inc. in opposition to [86-1] motion by ePlus, Inc. to Compel discovery of defenses to willful infringement (mcke) (Entered: 10/13/2004)
10/13/2004	96	WITHDRAWAL of [89-1] motion by ePlus, Inc. for Entry of Default as to Ariba, Inc. (clar) (Entered: 10/14/2004)
10/13/2004	97	ORDER granting [93-1] motion by Ariba, Inc. for Leave to File amended answer, and defts first amended answer and counterclaims of deft Ariba, Inc. shall be deemed FILED on the date of this order. Pltfs motion for entry of default (no. 89) is REMOVED from the October 15, 2004 docket and WITHDRAWN for any future consideration. ( signed by Mag Judge Barry R. Poretz Copies Mailed: yes [EOD Date: 10/14/04] (mcke) (Entered: 10/14/2004)
10/13/2004	98	FIRST AMENDED ANSWER and counterclaim to Complaint by Ariba, Inc. : amends [9-1] answer by Ariba, Inc.; jury demand (mcke) (Entered: 10/14/2004)
10/13/2004	98	AMENDED COUNTERCLAIM by Ariba, Inc. : amending [9-2] counter claim by Ariba, Inc.; jury demand (mcke) (Entered: 10/14/2004)
10/13/2004	99	NOTICE of Attorney Appearance for Ariba, Inc. by David Wayne Long (mcke) (Entered: 10/14/2004)

10/14/2004	100	REPLY MEMORANDUM in support by ePlus, Inc. of [86-1] motion by ePlus, Inc. to Compel discovery of defenses to willful infringement (clar) (Entered: 10/14/2004)
10/15/2004		Minute entry: Magistrate Judge Poretz (FTR) Appearances: Counsel for Pltf. & Def. This matter came on for Pltf's. Motion to Compel - Matter argued and Granted. Order to be entered. (jsch) (Entered: 10/15/2004)
10/15/2004	101	NOTICE of Attorney Appearance for ePlus, Inc. by Courtney Renee Sydnor (agil) (Entered: 10/15/2004)
10/15/2004	102	ORDER granting [86-1] motion by ePlus, Inc. to Compel discovery of defenses to willful infringement. For reasons stated from the bench, it is ORDERED, Plaintiff's Motion to Compel Discovery of Defenses to Willful Infringement (Dkt. no. 86) is GRANTED. (signed by Mag Judge Barry R. Poretz ) Copies Mailed: y [EOD Date: 10/18/04] (jsch) (Entered: 10/18/2004)
10/15/2004	103	REPLY by ePlus, Inc. to amended counterclaim: [98-1] amended claim by Ariba, Inc.; jury demand (stas) (Entered: 10/18/2004)
10/19/2004	104	STIPULATED Order regarding deadline for dispositive motions the parties having agreed to postpone the deadline for filing dispositive motions from the current deadline of October 18, 2004, it is hereby ORDERED that the joint discovery plan shall be modified as follows: all dispositive motions shall now be filed by October 22, 2004, oppositions shall be filed on November 3, 2004 and November 8, 2004, and set for a hearing on the earliest available motions day thereafter. ( signed by Mag Judge Barry R. Poretz ) Copies Mailed: yes (mcke) (Entered: 10/19/2004)
10/21/2004	105	SUBMISSION of Proposed Jury instructions by Ariba, Inc. (mcke) (Entered: 10/21/2004)
10/21/2004	106	SUBMISSION of [proposed] sepcial verdict form filed by defendant Ariba, Inc. (mcke) (Entered: 10/21/2004)
10/21/2004		Pre-Trial Conference held before Judge Brinkema; Reporter: Thomson; Appearances by counsel for parties. Matter set for trial by Jury 01/04/2005 at 10:00 a.m. before Judge Brinkema. (rtra) (Entered: 10/25/2004)
10/21/2004		Jury Trial set at 10:00 1/4/05 before Judge Leonie M. Brinkema (rtra) (Entered: 10/25/2004)
10/21/2004	107	JOINT Pretrial Statement (Witness List and Exhibit List) by ePlus, Inc., Ariba, Inc. (rtra) (Entered: 10/25/2004)
10/22/2004	108	MOTION by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity (mcke) (Entered: 10/25/2004)
10/22/2004	109	MEMORANDUM by Ariba, Inc. in support of [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/22/2004	110	Declaration of Dr. Phillip L. Carter in support of [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity (mcke)



		Modified on 11/04/2004 (Entered: 10/25/2004)
10/22/2004	111	Declaration of Craig M. Federighi in support of [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity by Ariba, Inc. (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/22/2004		Exhibits received by Ariba, Inc. in support of declaration of Craig M. Federighi in support of defts motion for summary judgment of non-infringement and invalidity (2 volumes, the first volumes goes with pleading # 111) (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/22/2004	112	Declaration of Kevin Jeffay in support of [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity (filed together with exhibits 2 volumes) (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/22/2004	113	Declaration of Vandana Koelsch in support of [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/22/2004	114	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 11/19/04 for [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity (mcke) (Entered: 10/25/2004)
10/22/2004	116	DAUBERT MOTION by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman (jcup) (Entered: 10/25/2004)
10/22/2004	117	MEMORANDUM by Ariba, Inc. in support of [116-1] motion by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman (Unsealed per court) (jcup) Modified on 11/30/2004 (Entered: 10/25/2004)
10/22/2004	118	Declaration of David W. Long in support of [116-1] motion by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman (Unsealed per court) (jcup) Modified on 11/30/2004 (Entered: 10/25/2004)
10/22/2004	119	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 10/29/04 for [116-1] motion by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman (jcup) (Entered: 10/25/2004)
10/25/2004	115	ORDER late Friday afternoon, the court received deft's memorandum in support of Ariba's motion for sumamry judgment of Non-Infringement and Invalidity, memorandum in support of Arbia's Daubert motion to exclude expert opinion testimony from Mr. Robery N. Yerman, and the supporting declarations of Kevin Jeffay, Phillip L. Carter, and Craig M. Federighi, all filed under seal. These documents are considered timely filed with the clerk as of 5:07 on Friday, October 22, 2004. However, upon a preliminary review of the motion for sumamry judgment, the court has concluded that because this action involves alleged infringement of a patent, which by nature is publicly available, there is no basis for these documents to be filed under seal. Accordingly, it is hereby ORDERED that counsel advise the court within forty-eight (48) hours why any specific pages or documents need to be filed under seal. At the end of that period, in the absence of a compelling

		justification, these pleadings and supporting declarations will be unsealed in the case file.( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 10/25/04] (mcke) (Entered: 10/25/2004)
10/25/2004	120	MOTION by ePlus, Inc. for Partial Summary Judgment of patent infringement by deft Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 (told to notice) (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/25/2004	121	MEMORANDUM by ePlus, Inc. in support of [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by deft Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/25/2004	122	Declaration of Kenneth G. Farber in support of [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by deft Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 (mcke) (Entered: 10/25/2004)
10/25/2004	123	Declaration of Alfred C. Weaver, PH.D in support of [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by deft Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/25/2004	124	Declaration of Brian M. Buroker in support of [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by deft Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 by ePlus, Inc. (Large Pleading in 3 accordian folders) (mcke) Modified on 11/04/2004 (Entered: 10/25/2004)
10/25/2004	125	ORDER at 8:41 this morning, pltf filed with the clerk's office pltf eplus, Inc.'s motion for partial summary judgment of Patent Infringement by deft Arbia, Inc. of United States Patent Nos. 6,023,683, 6,055,516 and 6,505,172 and the supporting declarations of Brian M. Buroker, Alfred C. Weaver, Ph.D, and Kennth G. Farber, all under seal. Although filed after the court's October 22, 2004, deadline for dispositive motions, the court will consider pltf's motion for partial summary judgment timely. However, like deft, pltf has, without leave of court and without explnation, filed extensive pleadings and documents under seal. Accordingly, it is hereby ORDERED that counsel for pltf also advise the court within forty-eight (48) hours why any specific pages or documents need to be filed under seal. At the end of that period, in the absence of a compelling justification, these pleadings and supporting declarartions will be unsealed in the case file. ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 10/25/04] (mcke) (Entered: 10/25/2004)
10/25/2004	126	ORDER before the court is deft Ariba's Daubert motion to exclude expert opinion testimony from Mr. Robert N. Yerman, which is noticed for Friday, October 29, 2004. Having reviewed the motion to exclude, the court has determined that this motion should be heard together with the dispositive motions noticed for 11/19/04. Accordingly, it is hereby ORDERED that the clerk remove deft's motion to exclude from the docket for Friday, October 29,



		2004, and add it to the docket for 11/19/04. ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 10/26/04] (mcke) (Entered: 10/26/2004)
10/25/2004		Deadline updated; Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 11/19/04 for [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by deft Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172, set for 10:00 11/19/04 for [116-1] motion by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman (mcke) (Entered: 10/26/2004)
10/27/2004	127	TRANSCRIPT proceedings for dates of 10/15/04 (BRP) (mcke) (Entered: 10/27/2004)
10/27/2004	128	Response by ePlus, Inc. to [125-1] order dated 10/25/04 (mcke) (Entered: 10/27/2004)
10/27/2004	129	MOTION by Ariba, Inc. in limine to exclude willfulness evidence (clar) (Entered: 10/28/2004)
10/27/2004	130	MEMORANDUM by Ariba, Inc. in support of [129-1] motion by Ariba, Inc. in limine to exclude willfulness evidence (clar) (Entered: 10/28/2004)
10/27/2004	131	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 11/5/04 for [129-1] motion by Ariba, Inc. in limine to exclude willfulness evidence (clar) (Entered: 10/28/2004)
10/27/2004	132	MOTION by Ariba, Inc. in limine to limit ePlus' expert witnesses' testimony at trial to facts and opinions disclosed in their expert reports (clar) (Entered: 10/28/2004)
10/27/2004	133	MEMORANDUM by Ariba, Inc. in support of [132-1] motion by Ariba, Inc. in limine to limit ePlus' expert witnesses' testimony at trial to facts and opinions disclosed in their expert reports (clar) (Entered: 10/28/2004)
10/27/2004	134	Declaration of Brian S. Seal in support of [132-1] motion by Ariba, Inc. in limine to limit ePlus' expert witnesses' testimony at trial to facts and opinions disclosed in their expert reports (clar) (Entered: 10/28/2004)
10/27/2004	135	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 11/5/04 for [132-1] motion by Ariba, Inc. in limine to limit ePlus' expert witnesses' testimony at trial to facts and opinions disclosed in their expert reports (clar) (Entered: 10/28/2004)
10/27/2004	136	MOTION by Ariba, Inc. in limine to exclude any evidence of invention prior to August 10, 1994 (clar) (Entered: 10/28/2004)
10/27/2004	137	MEMORANDUM by Ariba, Inc. in support of [136-1] motion by Ariba, Inc. in limine to exclude any evidence of invention prior to August 10, 1994 (clar) (Entered: 10/28/2004)
10/27/2004	138	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 11/5/04 for [136-1] motion by Ariba, Inc. in limine to exclude any evidence of invention prior to August 10, 1994 (clar) (Entered: 10/28/2004)

		10/28/2004)
10/27/2004	139	Response by Ariba, Inc. to Court's [125-1] order dated October 25, 2204 regarding sealing of recently-filed documents (clar) (Entered: 10/28/2004)
10/27/2004	140	MOTION by Ariba, Inc. in limine to limit time period for which damages may be assessed or direct and indirect infringement (clar) (Entered: 10/28/2004)
10/27/2004	141	MEMORANDUM by Ariba, Inc. in support of [140-1] motion by Ariba, Inc. in limine to limit time period for which damages may be assessed or direct and indirect infringement (clar) (Entered: 10/28/2004)
10/27/2004	142	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 11/5/04 for [140-1] motion by Ariba, Inc. in limine to limit time period for which damages may be assessed or direct and indirect infringement (clar) (Entered: 10/28/2004)
10/27/2004	143	Declaration of David w. Long in support of [140-1] motion by Ariba, Inc. in limine to limit time period for which damages may be assessed or direct and indirect infringement, [129-1] motion by Ariba, Inc. in limine to exclude willfulness evidence (UNDER SEAL) (clar) Modified on 11/04/2004 (Entered: 10/28/2004)
10/27/2004	144	FIRST MOTION by ePlus, Inc. in limine to exclude irrelevant and legally improper evidence or argument regarding non-infringement or claim construction based upon comparisons between deft's accused systems and the commercial embodiments of the patentee (told to notice) (mcke) Modified on 10/28/2004 (Entered: 10/28/2004)
10/27/2004	145	Brief by ePlus, Inc. in support of [144-1] first motion by ePlus, Inc. in limine to exclude irrelevant and legally improper evidence or argument regarding non-infringement or claim construction based upon comparisons between deft's accused systems and the commercial embodiments of the patentee (mcke) (Entered: 10/28/2004)
10/27/2004	146	SECOND MOTION by ePlus, Inc. in limine to preclude deft Ariba, Inc. from presenting testimony, evidence or argument that it satisfied its duty of care to avoid infringement after having invoked the attorney-client privilege to preclude all discovery pertaining to this issue (told to notice) (mcke) (Entered: 10/28/2004)
10/27/2004	147	Brief by ePlus, Inc. in support of second [146-1] motion by ePlus, Inc. in limine to preclude deft Ariba, Inc. from presenting testimony, evidence or argument that it satisfied its duty of care to avoid infringement after having invoked the attorney-client privilege to preclude all discovery pertaining to this issue (mcke) (Entered: 10/28/2004)
10/27/2004	148	THIRD MOTION by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning alleged prior art and/or allegations of invalidity not timely disclosed and relied upon allegations of invalidity not timely disclosed and relied upon in expert reports (told to notice) (mcke) (Entered: 10/28/2004)
10/27/2004	149	Brief by ePlus, Inc. in support of Third [148-1] motion by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning alleged prior art

		and/or allegations of invalidity not timely disclosed and relied upon allegations of invalidity not timely disclosed and relied upon in expert reports (mcke) (Entered: 10/28/2004)
10/27/2004	150	FOURTH MOTION by ePlus, Inc. in limine to exclude undisclosed expert testimony from "Economist" Christopher H. Spadea (told to notice) (mcke) (Entered: 10/28/2004)
10/27/2004	151	Brief by ePlus, Inc. in support of Fourth [150-1] motion by ePlus, Inc. in limine to exclude undisclosed expert testimony from "Economist" Christopher H. Spadea (mcke) (Entered: 10/28/2004)
10/27/2004	152	FIFTH MOTION by ePlus, Inc. in limine to preclude irrelevant evidence or argument of non-infringement based upon additional elements and improvements of the accused systems (told to notice) (mcke) (Entered: 10/28/2004)
10/27/2004	153	Brief by ePlus, Inc. in support of fifth [152-1] motion in limine to preclude irrelevant evidence or argument of non-infringement based upon additional elements and improvements of the accused systems (mcke) (Entered: 10/28/2004)
10/27/2004	154	SIXTH MOTION by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning irrelevant litigation settlement agreements not timely produced or disclosed during discovery (told to notice) (mcke) (Entered: 10/28/2004)
10/27/2004	155	Brief by ePlus, Inc. in support of sixth [154-1] motion by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning irrelevant litigation settlement agreements not timely produced or disclosed during discovery (mcke) (Entered: 10/28/2004)
10/27/2004	156	SEVENTH MOTION by ePlus, Inc. in limine to exclude testimony of Gerald H. Bjorge (told to notice) (mcke) (Entered: 10/28/2004)
10/27/2004	157	Brief by ePlus, Inc. in support of seventh [156-1] motion by ePlus, Inc. in limine to exclude testimony of Gerald H. Bjorge (mcke) (Entered: 10/28/2004)
10/27/2004	158	EIGHTH MOTION by ePlus, Inc. in limine to exclude legally irrelevant or undisclosed expert opinion testimony or Raymond S. Sims (told to notice) (FILED UNDER SEAL) (mcke) Modified on 10/28/2004 (Entered: 10/28/2004)
10/27/2004	159	Brief by ePlus, Inc. in support of Eighth [158-1] motion by ePlus, Inc. in limine to exclude legally irrelevant or undisclosed expert opinion testimony or Raymond S. Sims (FILED UNDER SEAL) (mcke) (Entered: 10/28/2004)
10/27/2004	160	NINTH MOTION by ePlus, Inc. in limine to exclude conclusory and legally insufficient invalidity opinions (told to notice) (mcke) (Entered: 10/28/2004)
10/27/2004	161	Brief by ePlus, Inc. in support of [160-1] ninth motion by ePlus, Inc. in limine to exclude conclusory and legally insufficient invalidity opinions (mcke) (Entered: 10/28/2004)

10/28/2004	162	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 11/19/04 for [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by deft Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 (mcke) (Entered: 10/29/2004)
11/02/2004	163	OPPOSITION by ePlus, Inc. to [116-1] motion by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman (mcke) (Entered: 11/03/2004)
11/02/2004	164	Declaration of Bradley T. Lennie in support of pltf's [163-1] opposition memorandum to Ariba's so-called Daubert Motion to exclude expert opinion testimony from Mr. Robert N. Yerman (mcke) (Entered: 11/03/2004)
11/02/2004	165	Declaration of Kenneth G. Farber by ePlus, Inc. (mcke) (Entered: 11/03/2004)
11/02/2004	166	Declaration of Robert N. Yerman by ePlus, Inc. (Large Pleading) (mcke) (Entered: 11/03/2004)
11/02/2004	167	Amended NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for [136-1] motion by Ariba, Inc. in limine to exclude any evidence of invention prior to August 10, 1994 (clar) (Entered: 11/03/2004)
11/02/2004	168	Amended NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for [132-1] motion by Ariba, Inc. in limine to limit ePlus' expert witnesses' testimony at trial to facts and opinions disclosed in their expert reports (clar) (Entered: 11/03/2004)
11/02/2004	169	Amended NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for [129-1] motion by Ariba, Inc. in limine to exclude willfulness evidence (clar) (Entered: 11/03/2004)
11/02/2004	170	Amended NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for [140-1] motion by Ariba, Inc. in limine to limit time period for which damages may be assessed or direct and indirect infringement (clar) (Entered: 11/03/2004)
11/03/2004	171	STIPULATED Order on briefing schedule for motions in limine, the parties shall file and serve briefs in opposition to the motions in limine on or before 11/22/04. The parties shall file rebuttal briefs on or before 12/1/04. The parties shall notice the motions for hearing to take place on Friday, December 10, 2004. No pleading may be filed under seal unless a specific justification for sealing accompanies the pleading. ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes (mcke) (Entered: 11/03/2004)
11/03/2004	172	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for first [144-1] motion by ePlus, Inc. in limine to exclude irrelevant and legally improper evidence or argument regarding non-infringement or claim construction based upon comparisons between deft's accused systems and the commercial embodiments of the patentee (mcke) (Entered: 11/03/2004)
11/03/2004	173	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M.

		Brinkema set for 10:00 12/10/04 for second [146-1] motion by ePlus, Inc. in limine to preclude deft Ariba, Inc. from presenting testimony, evidence or argument that it satisfied its duty of care to avoid infringement after having invoked the attorney-client privilege to preclude all discovery pertaining to this issue (mcke) (Entered: 11/03/2004)
11/03/2004	174	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for third [148-1] motion by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning alleged prior art and/or allegations of invalidity not timely disclosed and relied upon allegations of invalidity not timely disclosed and relied upon in expert reports (mcke) (Entered: 11/03/2004)
11/03/2004	175	NOTICE of by ePlus, Inc. by ePlus, Inc. Withdrawing fourth [150-1] motion by ePlus, Inc. in limine to exclude undisclosed expert testimony from "Economist" Christopher H. Spadea by ePlus, Inc. (mcke) (Entered: 11/03/2004)
11/03/2004	176	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for fifth [152-1] motion by ePlus, Inc. in limine to preclude irrelevant evidence or argument of non-infringement based upon additional elements and improvements of the accused systems (mcke) (Entered: 11/03/2004)
11/03/2004	177	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for sixth [154-1] motion by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning irrelevant litigation settlement agreements not timely produced or disclosed during discovery (mcke) (Entered: 11/03/2004)
11/03/2004	178	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for seventh [156-1] motion by ePlus, Inc. in limine to exclude testimony of Gerald H. Borge (mcke) (Entered: 11/03/2004)
11/03/2004	179	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for eighth [158-1] motion by ePlus, Inc. in limine to exclude legally irrelevant or undisclosed expert opinion testimony or Raymond S. Sims (mcke) (Entered: 11/03/2004)
11/03/2004	180	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/10/04 for ninth [160-1] motion by ePlus, Inc. in limine to exclude conclusory and legally insufficient invalidity opinions (mcke) (Entered: 11/03/2004)
11/03/2004	181	JUSTIFICATION for filing documents under seal in opposition to deft Ariba, Inc.'s motion for summary judgment filed by plaintiff ePlus, Inc. (mcke) (Entered: 11/04/2004)
11/03/2004	182	MEMORANDUM by ePlus, Inc. in opposition to [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity (unsealed per court) (mcke) Modified on 11/15/2004 (Entered: 11/04/2004)



11/03/2004	183	Declaration of Alfred C. Weaver, PH.D by ePlus, Inc. in opposition to [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity by Ariba, Inc. (unsealed per court) (mcke) Modified on 11/15/2004 (Entered: 11/04/2004)
11/03/2004	184	SECOND Declaration of Brian M. Buroker in support of pltf's [182-1] opposition to def't Ariba, Inc.'s motion for summary judgment of non-infringement and invalidity (Large Pleading, in 4 accordian brown folders) (unsealed per court) before the Court) (mcke) Modified on 11/15/2004 (Entered: 11/04/2004)
11/03/2004	185	OPPOSITION by Ariba, Inc. to [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by def't Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 (Under Seal pending before the court) (mcke) Modified on 11/04/2004 (Entered: 11/04/2004)
11/03/2004	186	Declaration of Brian A. Rosenthal in support of [185-1] opposition by Ariba, Inc. to pltf's motion for partial summary judgment (Under Seal pending before the court) (mcke) Modified on 11/04/2004 (Entered: 11/04/2004)
11/03/2004	187	ORDER that the parties' motions for summary judgment, supporting documents and attached exhibits be and are unsealed, and it is further ORDERED that if either party seeks to file any entire pleading or document, or part thereof, under seal, it provide with that pleading a specific, narrowly tailored description of the material for which sealing is requested and articulate an appropriate, compelling reason justifying its sealing request. General reference to the protective order is insufficient. ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 11/4/04] (mcke) (Entered: 11/04/2004)
11/05/2004	188	Response by Ariba, Inc. to [187-1] order dated 11/3/04 regarding sealing of documents (mcke) (Entered: 11/05/2004)
11/05/2004	189	ERRATA for pltf ePlus, Inc.'s memorandum in opposition to def't Ariba, Inc.'s motion for summary judgment of non-infringement and partial summary judgment of invalidity of United States patent Nos. 6,023,683, 6,055,516 and 6,505,172 filed by plaintiff ePlus, Inc. (mcke) (Entered: 11/08/2004)
11/05/2004	190	MEMORANDUM by ePlus, Inc. in opposition to [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity by Ariba, Inc. (mcke) (Entered: 11/08/2004)
11/08/2004	191	REPLY by ePlus, Inc. to response to [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by def't Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 (clar) (Entered: 11/09/2004)
11/08/2004	192	Third Declaration of Brian M. Buroker in support of [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by def't Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172 (large pleading) (clar) (Entered: 11/09/2004)
11/08/2004	193	REPLY MEMORANDUM in support by Ariba, Inc. of [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity (clar)

		(Entered: 11/09/2004)
11/08/2004	194	Rebuttal brief in support by Ariba, Inc. of [116-1] motion by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman (clar) (Entered: 11/09/2004)
11/08/2004	195	Declaration of David W. Long in support of [116-1] motion by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman (clar) (Entered: 11/09/2004)
11/15/2004	196	MOTION by Ariba, Inc. to substitute summary judgment exhibits in order to eliminate thousands of pages of irrelevant confidential information originally filed under seal (mcke) (Entered: 11/15/2004)
11/15/2004	197	MEMORANDUM by Ariba, Inc. in support of [196-1] motion by Ariba, Inc. to substitute summary judgment exhibits in order to eliminate thousands of pages of irrelevant confidential information originally filed under seal (mcke) (Entered: 11/15/2004)
11/15/2004	198	Declaration of Anderson Chen in support of [196-1] motion by Ariba, Inc. to substitute summary judgment exhibits in order to eliminate thousands of pages of irrelevant confidential information originally filed under seal (mcke) (Entered: 11/15/2004)
11/16/2004	199	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 10:00 12/3/04 for [196-1] motion by Ariba, Inc. to substitute summary judgment exhibits in order to eliminate thousands of pages of irrelevant confidential information originally filed under seal (mcke) (Entered: 11/16/2004)
11/16/2004	200	ORDER denying [196-1] motion by Ariba, Inc. to substitute summary judgment exhibits in order to eliminate thousands of pages of irrelevant confidential information originally filed under seal ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 11/17/04] (mcke) (Entered: 11/17/2004)
11/19/2004		Minute entry: Judge Brinkema; Reporter: Thomson; Appearances by counsel for parties. Matter came on for Deft's Motion to exclude expert testimony-Denied; Cross Motions for Summary Judgment-Argued and Denied. Order to follow (rtra) Modified on 11/20/2004 (Entered: 11/19/2004)
11/19/2004	201	For the reasons stated in open court, ORDER denying [120-1] motion by ePlus, Inc. for Partial Summary Judgment of patent infringement by deft Ariba Inc. of United States patent Nos. 6,023,683, 6,055,516, and 6,505,172, denying [116-1] motion by Ariba, Inc. to exclude expert opinion testimony from Mr. Robert N. Yerman, denying [108-1] motion by Ariba, Inc. for Summary Judgment of non-infringemnt and invalidity ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 11/19/04 [EOD Date: 11/20/04] (rtra) (Entered: 11/20/2004)
11/22/2004	202	OPPOSITION by Ariba, Inc. to [144-1] motion by ePlus, Inc. in limine to exclude irrelevant and legally improper evidence or argument regarding non-infringement or claim construction based upon comparisons between deft's



		accused systems and the commercial embodiments of the patentee (mcke) (Entered: 11/22/2004)
11/22/2004	203	OPPOSITION by Ariba, Inc. to [146-1] motion by ePlus, Inc. in limine to preclude deft Ariba, Inc. from presenting testimony, evidence or argument that it satisfied its duty of care to avoid infringement after having invoked the attorney-client privilege to preclude all discovery pertaining to this issue (mcke) (Entered: 11/22/2004)
11/22/2004	204	Response by Ariba, Inc. to [148-1] motion by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning alleged prior art and/or allegations of invalidity not timely disclosed and relied upon allegations of invalidity not timely disclosed and relied upon in expert reports (mcke) (Entered: 11/22/2004)
11/22/2004	205	OPPOSITION by Ariba, Inc. to [152-1] motion by ePlus, Inc. in limine to preclude irrelevant evidence or argument of non-infringement based upon additional elements and improvements of the accused systems (mcke) (Entered: 11/22/2004)
11/22/2004	206	OPPOSITION by Ariba, Inc. to [154-1] motion by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning irrelevant litigation settlement agreements not timely produced or disclosed during discovery (mcke) (Entered: 11/22/2004)
11/22/2004	207	OPPOSITION by Ariba, Inc. to [156-1] motion by ePlus, Inc. in limine to exclude testimony of Gerald H. Bjorge (mcke) (Entered: 11/22/2004)
11/22/2004	208	OPPOSITION by Ariba, Inc. to [158-1] motion by ePlus, Inc. in limine to exclude legally irrelevant or undisclosed expert opinion testimony or Raymond S. Sims (mcke) (Entered: 11/22/2004)
11/22/2004	209	MEMORANDUM by Ariba, Inc. in opposition to [160-1] motion by ePlus, Inc. in limine to exclude conclusory and legally insufficient invalidity opinions (counsel has the caption wrong on the pleading) (Large Pleading) (mcke) (Entered: 11/22/2004)
11/22/2004	210	OBJECTIONS by ePlus, Inc. to defts trial exhibits and cross designations to deposition testimony desiganted by deft (mcke) (Entered: 11/23/2004)
11/22/2004	211	BRIEF by ePlus, Inc. in opposition to [132-1] motion by Ariba, Inc. in limine to limit ePlus' expert witnesses' testimony at trial to facts and opinions disclosed in their expert reports (Large Pleading) (mcke) (Entered: 11/23/2004)
11/22/2004	212	BRIEF by ePlus, Inc. in opposition to [140-1] motion by Ariba, Inc. in limine to limit time period for which damages may be assessed or direct and indirect infringement (mcke) (Entered: 11/23/2004)
11/22/2004	213	BRIEF by ePlus, Inc. in opposition to [129-1] motion by Ariba, Inc. in limine to exclude willfulness evidence (Large Pleading) (mcke) (Entered: 11/23/2004)
11/22/2004	214	BRIEF by ePlus, Inc. in opposition to [136-1] motion by Ariba, Inc. in limine

		to exclude any evidence of invention prior to August 10, 1994 (Large Pleading) (mcke) (Entered: 11/23/2004)
11/30/2004	215	TRANSCRIPT for dates of 11.19.04 (LMB) - filed. (jcup) (Entered: 11/30/2004)
12/01/2004	216	Rebuttal brief in further support by ePlus, Inc. of [144-1] motion by ePlus, Inc. in limine to exclude irrelevant and legally improper evidence or argument regarding non-infringement or claim construction based upon comparisons between deft's accused systems and the commercial embodiments of the patentee (clar) (Entered: 12/02/2004)
12/01/2004	217	Rebuttal brief in further support by ePlus, Inc. of [146-1] motion by ePlus, Inc. in limine to preclude deft Ariba, Inc. from presenting testimony, evidence or argument that it satisfied its duty of care to avoid infringement after having invoked the attorney-client privilege to preclude all discovery pertaining to this issue (clar) (Entered: 12/02/2004)
12/01/2004	218	Rebuttal brief in further support by ePlus, Inc. of [148-1] motion by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning alleged prior art and/or allegations of invalidity not timely disclosed and relied upon allegations of invalidity not timely disclosed and relied upon in expert reports (clar) (Entered: 12/02/2004)
12/01/2004	219	Rebuttal brief in further support by ePlus, Inc. of [152-1] motion by ePlus, Inc. in limine to preclude irrelevant evidence or argument of non-infringement based upon additional elements and improvements of the accused systems (clar) (Entered: 12/02/2004)
12/01/2004	220	Rebuttal brief in further support by ePlus, Inc. of [154-1] motion by ePlus, Inc. in limine to exclude testimony, evidence, or argument concerning irrelevant litigation settlement agreements not timely produced or disclosed during discovery (clar) (Entered: 12/02/2004)
12/01/2004	221	Rebuttal brief in further support by ePlus, Inc. of [156-1] motion by ePlus, Inc. in limine to exclude testimony of Gerald H. Bjorge (clar) (Entered: 12/02/2004)
12/01/2004	222	Rebuttal brief in further support by ePlus, Inc. of [158-1] motion by ePlus, Inc. in limine to exclude legally irrelevant or undisclosed expert opinion testimony or Raymond S. Sims (clar) (Entered: 12/02/2004)
12/01/2004	223	Rebuttal brief in further support by ePlus, Inc. of [160-1] motion by ePlus, Inc. in limine to exclude conclusory and legally insufficient invalidity opinions (clar) (Entered: 12/02/2004)
12/01/2004	224	Rebuttal by Ariba, Inc. supporting of [129-1] motion by Ariba, Inc. in limine to exclude willfulness evidence (clar) (Entered: 12/02/2004)
12/01/2004	225	Reply in support by Ariba, Inc. of [132-1] motion by Ariba, Inc. in limine to limit ePlus' expert witnesses' testimony at trial to facts and opinions disclosed in their expert reports (clar) (Entered: 12/02/2004)
12/01/2004	226	Rebuttal brief in support by Ariba, Inc. of [140-1] motion by Ariba, Inc. in

		limine to limit time period for which damages may be assessed or direct and indirect infringement (clar) (Entered: 12/02/2004)
12/01/2004	227	Reply in support by Ariba, Inc. of [136-1] motion by Ariba, Inc. in limine to exclude any evidence of invention prior to August 10, 1994 (clar) (Entered: 12/02/2004)
12/10/2004		Minute entry: Judge Brinkema; Reporter: Thomson; Appearances by counsel for parties. Matter came on for Motions in Limine-Motions argued and Granted in Part, Denied in Part. Order to follow. (rtra) (Entered: 12/11/2004)
12/30/2004	228	ORDER, that this jury trial be and is continued from 10:00 1/4/05 to 10:00 1/24/05. Reset Jury Trial for 10:00 1/24/05 before Judge Leonie M. Brinkema ( signed by Judge Leonie M. Brinkema ) Copies Mailed: yes [EOD Date: 1/3/05] (karn) (Entered: 01/03/2005)
01/19/2005	229	MEMORANDUM OPINION ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 01/19/05 (rtra) (Entered: 01/22/2005)
01/21/2005	230	MOTION by Ariba, Inc. for Clarification and/or Reconsideration of [229-1] the Court's Markman Order (rtra) (Entered: 01/22/2005)
01/21/2005		Motion hearing for ePlus, Inc., Ariba, Inc. [230-1] motion by Ariba, Inc. for Clarification and/or Reconsideration of [229-1] the Court's Markman Order set at 9:30 1/24/05 before Judge Leonie M. Brinkema (Courtroom 600) (rtra) (Entered: 01/22/2005)
01/21/2005	231	MEMORANDUM by Ariba, Inc. in support of [230-1] motion by Ariba, Inc. for Clarification and/or Reconsideration of [229-1] the Court's Markman Order (rtra) (Entered: 01/22/2005)
01/21/2005	232	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 9:30 1/24/05 for [230-1] motion by Ariba, Inc. for Clarification and/or Reconsideration of [229-1] the Court's Markman Order (rtra) (Entered: 01/22/2005)
01/21/2005	233	MOTION by ePlus, Inc. to exclude improper evidence or argument regarding damages during liability phase of trial (jcup) Modified on 01/24/2005 (Entered: 01/24/2005)
01/21/2005	234	BRIEF by ePlus, Inc. in support of [233-1] motion by ePlus, Inc. to exclude improper evidence or argument regarding damages during liability phase of trial (jcup) (Entered: 01/24/2005)
01/21/2005	235	REQUEST/MOTION by ePlus, Inc. for proposed revised preliminary jury instruction pursuant to Court's ruling limiting trial to eight claims (jcup) (Entered: 01/24/2005)
01/21/2005	236	BRIEF by ePlus, Inc. in support of [235-1] request/motion by ePlus, Inc. for proposed revised preliminary jury instruction pursuant to Court's ruling limiting trial to eight claims (jcup) (Entered: 01/24/2005)
01/24/2005	237	MOTION by Ariba, Inc. to preclude irrelevant despositions designations (jcup) (Entered: 01/24/2005)

01/24/2005	238	MEMORANDUM by Ariba, Inc. in support of [237-1] motion by Ariba, Inc. to preclude irrelevant despositions designations (LARGE PLEADING) (jcup) (Entered: 01/24/2005)
01/24/2005	239	NOTICE of Hearing: Motion Hearing Deadline before Judge Leonie M. Brinkema set for 9:30 1/24/05 for [237-1] motion by Ariba, Inc. to preclude irrelevant despositions designations (jcup) (Entered: 01/24/2005)
01/24/2005	240	Proposed Revised Preliminary Jury instructions by Ariba, Inc. (jcup) (Entered: 01/24/2005)
01/24/2005	241	Memorandum by defendant Ariba, Inc. regarding the law applicable to direct and indirect infringement (jcup) (Entered: 01/24/2005)
01/24/2005	242	OPPOSITION by Ariba, Inc. to [233-1] motion by ePlus, Inc. to exclude improper evidence or argument regarding damages during liability phase of trial (jcup) (Entered: 01/24/2005)
01/24/2005	243	RESPONSE by Ariba, Inc. to [235-1] motion by ePlus, Inc. for proposed revised preliminary jury instruction pursuant to Court's ruling limiting trial to eight claims (jcup) (Entered: 01/24/2005)
01/24/2005		Motion hearing held before Judge Brinkema; Reporter: Thomson; Appearances by counsel for parties re: [230-1] motion by Ariba, Inc. for Clarification and/or Reconsideration of [229-1] the Court's Markman Order-Argued and Denied. (rtra) (Entered: 01/24/2005)
01/24/2005		Jury Trial began before Judge Brinkema; Reporter: Thomson; Appearances by counsel for parties. Jury appeared, affirmed on voir dire. 8 Jurors chosen and affirmed to try the issues. Rule on witnesses, w/exception of expert witnesses w/o objection. Opening statements made. At the conclusion of opening statements, Juror #4 advised Court of conflict w/party, Juror excused. 7 jurors to try the issues. Pltf. began to adduce evidence. Court adjourned to reconvene 01/25/2005 at 9:45 a.m. (rtra) (Entered: 01/24/2005)
01/24/2005		Jury Trial set at 9:45 1/25/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 01/24/2005)
01/25/2005	244	TRANSCRIPT for dates of January 24, 2005; Jury Trial before Judge Brinkema (Vol. 1, Afternoon Session) (rtra) (Entered: 01/25/2005)
01/25/2005	245	BRIEF by ePlus, Inc. in opposition to [237-1] motion by Ariba, Inc. to preclude irrelevant despositions designations (jcup) (Entered: 01/25/2005)
01/25/2005		Jury Trial continued before Judge Brinkema; Reporter: Thomson/Linnell; Appearances by counsel for parties. Pltf. continued to adduce evidence. Counsel directed to submit any trial/bench memorandum by fax by 7:30 a.m. 01/26/2005. Court adjourned to reconvene 9:30 a.m. 01/26/2005. (rtra) (Entered: 01/25/2005)
01/25/2005		Jury Trial set at 9:30 1/26/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 01/25/2005)
01/26/2005	246	TRANSCRIPT for dates of January 25, 2005; Jury Trial before Judge

		Brinkema (Volume 2, Morning Session) (rtra) (Entered: 01/26/2005)
01/26/2005	247	MOTION and Memorandum in Support by Ariba, Inc. for Judgment as a Matter of Law that Ariba did not willfully infringe any ePlus Patents (karn) (Entered: 01/26/2005)
01/26/2005	248	MEMORANDUM by Ariba, Inc. in support of Motion of Ariba, Inc. for Judgment as a matter of law that Ariba does not directly infringe any of the asserted patent claims (karn) (Entered: 01/26/2005)
01/26/2005	249	MEMORANDUM by Ariba, Inc. in support of Motion of Ariba for Judgment as a Matter of Law that Ariba does not Induce Infringement of any of the asserted patent claims (karn) (Entered: 01/26/2005)
01/26/2005	250	MEMORANDUM by Ariba, Inc. in support of Ariba's Motion for Judgment as a Matter of Law re Non-Infringement (karn) (Entered: 01/26/2005)
01/26/2005		Jury Trial continued before Judge Brinkema; Reporters: Thomson, Linnell; Appearances by counsel for parties. Deft's objections to demonstrative exhibits-Denied. Pltf. continued to adduce evidence. Court adjourned to reconvene 01/27/2005 at 9:45 a.m. (rtra) (Entered: 01/26/2005)
01/26/2005		Jury Trial set at 9:45 1/27/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 01/26/2005)
01/27/2005	251	TRANSCRIPT for dates of January 25, 2005; Jury Trial before Judge Brinkema (Volume 2-A, Afternoon Session) (rtra) (Entered: 01/27/2005)
01/27/2005	252	TRANSCRIPT for dates of January 26, 2005; Jury Trial before Judge Brinkema (Volume 3, Morning Session) (rtra) (Entered: 01/27/2005)
01/27/2005	253	TRANSCRIPT for dates of January 26, 2005; Jury Trial before Judge Brinkema (Volume 3-A, Afternoon Session) (rtra) (Entered: 01/27/2005)
01/27/2005	254	TRANSCRIPT for dates of January 27, 2005; Jury Trial before Judge Brinkema (Volume 4, Morning Session) (rtra) (Entered: 01/27/2005)
01/27/2005		Jury Trial continued before Judge Brinkema; Reporter: Thomson, Linnell; Appearances by counsel for parties. Pltf. continued to adduce evidence. Stipulations read into the record. Pltf. rests. Deft's Rule 50 Motion for Judgment as a Matter of Law-Argued and Denied. Court adjourned to reconvene 01/31/2005 at 9:30 a.m. (rtra) (Entered: 01/31/2005)
01/27/2005		Jury Trial set at 9:30 1/31/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 01/31/2005)
01/28/2005	258	TRANSCRIPT for dates of January 27, 2005; Jury Trial before Judge Brinkema (Volume 4-A, Afternoon Session) (rtra) (Entered: 02/01/2005)
01/31/2005	255	DAUBERT MOTION by ePlus, Inc. to Strike legally insufficient invalidity opinions (jcup) (Entered: 01/31/2005)
01/31/2005	256	BRIEF by ePlus, Inc. in support of [255-1] Daubert motion by ePlus, Inc. to Strike legally insufficient invalidity opinions (jcup) (Entered: 01/31/2005)



01/31/2005		Jury Trial continued before Judge Brinkema; Reporters: Thomson, Linnell; Appearances by counsel for parties. Deft. began to adduce evidence. Court adjourned to reconvene 02/01/2005 at 9:30 a.m. (rtra) (Entered: 01/31/2005)
01/31/2005		Jury Trial set at 9:30 2/1/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 01/31/2005)
02/01/2005	257	BENCH MEMORANDUM by ePlus, Inc. in support of Objections to Alleged Evidence of "Printed Publications" (jcup) (Entered: 02/01/2005)
02/01/2005	259	TRANSCRIPT for dates of January 31, 2005; Jury Trial before Judge Brinkema (Volume 5, Morning Session) (rtra) (Entered: 02/01/2005)
02/01/2005	260	TRANSCRIPT for dates of January 31, 2005; Jury Trial before Judge Brinkema (Volume 5-A, Afternoon Session) (rtra) (Entered: 02/01/2005)
02/01/2005	261	Proposed Special Verdict Form filed by plaintiff ePlus, Inc. (rtra) (Entered: 02/01/2005)
02/01/2005	262	Proposed Jury instructions by ePlus, Inc. (rtra) (Entered: 02/01/2005)
02/01/2005		Jury Trial continued before Judge Brinkema; Reporters: Thomson, Linnell; Appearances by counsel for parties. Deft. continued to adduce evidence and rests. Pltf. adduced rebuttal evidence. Court adjourned to reconvene 02/02/2005 at 9:45 a.m. (rtra) (Entered: 02/01/2005)
02/01/2005		Jury Trial set at 9:45 2/2/05 before Judge Leonie M. Brinkema, Courtroom 700 (rtra) (Entered: 02/02/2005)
02/02/2005	263	MEMORANDUM by Ariba, Inc. in support of Motion of Ariba, Inc. for Judgment as a Matter of Law that Ariba does not directly infringe any of the asserted patent claims (jcup) (Entered: 02/02/2005)
02/02/2005	264	MEMORANDUM by Ariba, Inc. in support of Motion of Ariba, Inc. for Judgment as a Matter of Law that the asserted claims of the patents-in-suit are invalid (jcup) (Entered: 02/02/2005)
02/02/2005	265	MEMORANDUM by Ariba, Inc. in support of Ariba's Motion for Judgment as a Matter of Law re: non-infringement (jcup) (Entered: 02/02/2005)
02/02/2005	266	MEMORANDUM by Ariba, Inc. in support of Motion of Ariba, Inc. for Judgment as a Matter of Law that Ariba does not induce infringe of any of the asserted patent claims (jcup) (Entered: 02/02/2005)
02/02/2005	267	MOTION and Memorandum in Support by Ariba, Inc. by Ariba, Inc. for Judgment as a Matter of Law that Ariba did not willfully infringe any ePlus patents (jcup) (Entered: 02/02/2005)
02/02/2005	268	TRANSCRIPT for dates of February 1, 2005; Jury Trial before Judge Brinkema (Volume 6, Morning Session) (rtra) (Entered: 02/02/2005)
02/02/2005	269	TRANSCRIPT for dates of February 1, 2005; Jury Trial before Judge Brinkema (Volume 6-A, Afternoon Session) (rtra) (Entered: 02/02/2005)
02/02/2005	270	MOTION by ePlus, Inc. for Judgment as a Matter of Law that Claim 5 of the

		'172 Patent is Not Invalid (rtra) (Entered: 02/02/2005)
02/02/2005	271	MEMORANDUM by ePlus, Inc. in support of [270-1] motion by ePlus, Inc. for Judgment as a Matter of Law that Claim 5 of the '172 Patent is Not Invalid (rtra) (Entered: 02/02/2005)
02/02/2005		Jury Trial continued before Judge Brinkema; Reporters: Thomson, Linnell; Appearances by counsel for parties. Pltf. continued to adduce rebuttal evidence and rests. No sur rebuttal. Jury excused. Charge conference held. Court adjourned to reconvene 02/03/2005 at 10:30 a.m. for further trial proceedings. (rtra) (Entered: 02/02/2005)
02/02/2005		Jury Trial set at 10:30 2/3/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 02/02/2005)
02/03/2005	272	TRANSCRIPT for dates of February 2, 2005; Jury Trial before Judge Brinkema (Volume 7, Morning Session) (rtra) (Entered: 02/03/2005)
02/03/2005	273	TRANSCRIPT for dates of February 2, 2005; Jury Trial before Judge Brinkema (Volume 7-A, Afternoon Session) (rtra) (Entered: 02/03/2005)
02/03/2005	274	MOTION by ePlus, Inc. for Judgment as a Matter of Law (agil) (Entered: 02/03/2005)
02/03/2005	275	MEMORANDUM in support of [274-1] motion by ePlus, Inc. for Judgment as a Matter of Law by ePlus, Inc. (agil) (Entered: 02/03/2005)
02/03/2005	276	Joint Admitted Trial Exhibit List filed by plaintiff ePlus, Inc., defendant Ariba, Inc. (rtra) (Entered: 02/03/2005)
02/03/2005		Jury Trial continued before Judge Brinkema; Reporters: Thomson, Linnell; Appearances by counsel for parties. Charge Conference held. Closing Arguments heard. Jury charged and retired to begin deliberations. Court adjourned to reconvene 02/07/2005 at 8:45 a.m. for further deliberations. (rtra) Modified on 02/07/2005 (Entered: 02/03/2005)
02/03/2005		Jury Trial set at 8:45 2/7/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 02/03/2005)
02/04/2005	277	TRANSCRIPT for dates of February 3, 2005; Jury trial before Judge Brinkema (Volume 8-A, Afternoon Session) (rtra) (Entered: 02/04/2005)
02/07/2005	278	TRANSCRIPT for dates of January 24, 2005; Motions hearing before Judge Brinkema (rtra) (Entered: 02/07/2005)
02/07/2005	279	TRANSCRIPT for dates of February 3, 2005; Jury trial before Judge Brinkema (Volume 8, Morning Session) (rtra) (Entered: 02/07/2005)
02/07/2005		Jury Trial continued before Judge Brinkema; Reporter: Thomson; Appearances by counsel for parties. Jury returned to continue deliberations. Verdict returned as to validity, infringement, and willfulness in favor of Pltf. Jury excused to return 02/09/2005 at 9:00 a.m. for further trial proceedings regarding damages. (rtra) (Entered: 02/07/2005)
02/07/2005		Jury Trial set at 9:00 2/9/05 before Judge Leonie M. Brinkema; Courtroom



		700 (rtra) (Entered: 02/07/2005)
02/07/2005	280	MOTION by Ariba, Inc. for a Mistrial (jcup) (Entered: 02/08/2005)
02/07/2005	281	SPECIAL JURY VERDICT for ePlus, Inc. in Re: Infringement, Willfulness, and Validity filed in open court (rtra) (Entered: 02/08/2005)
02/07/2005	282	TRANSCRIPT for dates of February 7, 2005; Jury Trial before Judge Brinkema (Volume 9) (rtra) (Entered: 02/08/2005)
02/07/2005	283	MEMORANDUM by Ariba, Inc. in support of [280-1] motion by Ariba, Inc. for a Mistrial (klau) (Entered: 02/08/2005)
02/07/2005	284	Declaration of Peter E. Moll in support of [280-1] motion by Ariba, Inc. for a Mistrial (klau) (Entered: 02/08/2005)
02/08/2005		Jury Trial set at 9:00 2/10/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 02/08/2005)
02/09/2005	285	BRIEF by ePlus, Inc. in opposition to [280-1] motion by Ariba, Inc. for a Mistrial (jcup) (Entered: 02/09/2005)
02/09/2005		Jury Trial set at 9:00 2/14/05 before Judge Leonie M. Brinkema; Courtroom 700 (rtra) (Entered: 02/09/2005)
02/10/2005	286	MOTION by ePlus, Inc. for entry of a permanent injunction order (jcup) (Entered: 02/10/2005)
02/10/2005	287	BRIEF by ePlus, Inc. in support of [286-1] motion by ePlus, Inc. for entry of a permanent injunction order (jcup) (Entered: 02/10/2005)
02/11/2005	288	WAIVER of trial by jury by Ariba, Inc. approved by the Court. (jcup) (Entered: 02/11/2005)
02/11/2005	289	WAIVER of trial by jury by ePlus, Inc. approved by the Court. (jcup) (Entered: 02/11/2005)
02/11/2005	290	Reply by Ariba, Inc. in support of [280-1] motion by Ariba, Inc. for a Mistrial (jcup) (Entered: 02/11/2005)
02/11/2005	291	MOTION by ePlus, Inc. in limine to preclude Ariba from arguing or introducing evidence on its new damages theory (jcup) (Entered: 02/11/2005)
02/11/2005	292	BRIEF by ePlus, Inc. in support of [291-1] motion by ePlus, Inc. in limine to preclude Ariba from arguing or introducing evidence on its new damages theory (jcup) (Entered: 02/11/2005)
02/15/2005	293	STIPULATION of Dismissal with Prejudice (rtra) (Entered: 02/16/2005)
02/15/2005		So Ordered: granting [293-1] Dismissal stipulation ( signed by Judge Leonie M. Brinkema ) Copies Mailed: 02/15/05 (rtra) (Entered: 02/16/2005)
02/15/2005		Case closed (rtra) (Entered: 02/16/2005)
01/11/2006		Exhibits Returned (8 black binders) to Plaintiff ePlus, Inc. (karn, ) (Entered: 01/11/2006)

01/12/2006	294	Exhibit of Dft's returned to WEX Courier Service for Dft's counsel. (4 binders) (agil) (Entered: 01/12/2006)
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